

**UNIFORM COUNTYWIDE FELONY BAIL SCHEDULE FOR MENDOCINO
COUNTY
2012**

Pursuant to Penal Code §1269b (c), the following uniform countywide schedule of bail for all bailable felony offenses is hereby adopted by the judges of the Superior Court of this county. This schedule sets the bail for the release of prisoners arrested without a warrant on a felony charge for the alleged commission of any bailable offense.

This schedule is effective January 01, 2012

PENAL CODE- Numerically by Section:

<u>Section</u>	<u>Offense</u>	<u>Bail</u>
69	Obstruct executive officer	\$15,000
118	Perjury	\$20,000
127	Procure another person to commit perjury	\$20,000
136.1(a-c)	Attempt/Intimidate Witness	\$25,000
139	Threatening witness	\$25,000
182	Conspiracy to commit felony	Same as subs offense
186.22(a)	Participation in Criminal Street Gang	\$25,000
187	Murder-Special circumstances	No Bail
187/190	Murder – 1 st Other than with special circumstances	\$500,000
187/190	Murder – 2 nd	\$300,000
191.5	Manslaughter - gross vehicular	\$200,000
192	Manslaughter - involuntary	\$75,000
192(a)	Manslaughter – voluntary	\$150,000
192(c)	Manslaughter-vehicular	\$50,000
203	Mayhem	\$50,000
207	Kidnapping	\$100,000
207	Kidnap w/victim under 14 and /or for sex	\$250,000
209	Kidnap for ransom or robbery	\$250,000
211/212.5 (a)	Robbery – 1 st - (residential)	\$150,000
211/212.5 (b)	Robbery – 2 nd	\$75,000
211/213(a)(1)(a)	Robbery in concert	\$250,000
215	Carjacking	\$75,000
220	Assault with intent to commit crime	\$50,000
236	False imprisonment	\$20,000
241	Assault on police or custodial officer	\$15,000
243	Battery on police or custodial officer	\$15,000
243(d)	Battery w/serious bodily injury	\$30,000
243.4	Battery (sexual)	\$20,000
243.9	Battery by gassing	\$20,000
245(a)(1)	Assault w/force likely to produce GBI	\$25,000
245(a)(1)	Assault with weapon	\$30,000
245(a)(2)	Assault with a firearm	\$40,000
245(c),(d)	Assault with deadly weapon on peace officer	\$50,000

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<u>Section</u>	<u>Offense</u>	<u>Bail</u>
246	Shoot at dwelling or vehicle	\$100,000
261	Rape	\$100,000
261.5	Unlawful sexual intercourse	\$15,000
264.1	Rape in concert	\$150,000
269	Aggravated sexual assault of child	\$250,000
273(a)	Abusing/child endangerment	\$25,000
273(d)	Corporal injury to child	\$25,000
273.5	Corporal injury to spouse/partner	\$25,000
273.5(2)	Corporal Injury to spouse/partner w/two or more priors	\$50,000
278/278.5	Child taking/concealment	\$35,000
286	Sodomy	\$50,000
286	Sodomy-with victim under 14 & def more than 10 years or in concert, or with force	\$100,000
288(a)	Lewd act w/child	\$75,000
288(b)	Lewd act w/child w/force	\$100,000
288a(b)	Oral copulation	\$50,000
288a(c)	Oral copulation w/victim under 14 & def more than 10 yrs or in concert, or with force	\$100,000
288.5	Sexual abuse of child – continuous	\$200,000
289	Penetration by foreign object	\$50,000
289	Penetration by foreign object w/victim under 14 and def more than 10 yrs or in concert, or with force	\$100,000
290	Failure to register as sex offender	\$15,000
311.2(b) & (d)	Bring obscene matter into/distribute within state	\$20,000
311.4	Using minor to assist in distribution	\$30,000
314	Indecent exposure	\$15,000
368(c),(d),(e),(f)	Elder theft/false imprisonment/abuse	\$25,000
368(b)(1),(b)(2)	Elder abuse w/GBI or likely to cause GBI	\$50,000
417(b)	Exhibiting a loaded firearm	\$15,000
417(c)	Exhibiting a firearm in the presence of peace officer	\$25,000
422	Criminal threats	\$20,000
451(a)	Arson w/GBI	\$250,000
451(b)	Arson of inhabited structure/property	\$100,000
451(c) & (d)	Arson of a structure/forest land	\$25,000
452(a)	Unlawfully causing a fire w/GBI	\$30,000
452(b)	Unlawfully causing a fire of inhabited structure/property	\$20,000
452	Unlawfully causing a fire-all others	\$15,000
459/460(a)	Burglary-1st degree/residence	\$50,000
459/460(b)	Burglary - 2nd degree	\$15,000
470/487	Forgery/Counterfeiting/grant theft	\$15,000
496	Possession stolen property	\$15,000

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<u>Section</u>	<u>Offense</u>	<u>Bail</u>
503	Embezzlement	\$15,000
520	Extortion	\$15,000
529-530.5	False personating	\$15,000
594	Vandalism \$400-\$10,000	\$15,000
594	Vandalism > \$10,000 or of a church	\$25,000
597	Animal cruelty	\$15,000
626.9(b)(d)	Possession of firearm at school	\$35,000
646.9	Stalking	\$50,000
646.9	Stalking with TRO	\$75,000
664	Attempt to commit crime	Same as offense attempted
664/187	Attempted murder – 1 st	\$250,000
664/187	Attempted murder – 2 nd	\$125,000
666	Petty theft w/prior	\$15,000
1320	Failure to appear -Add to bail for crime	Add \$15,000
4532(a)	Escape from jail on misdemeanor charge	\$25,000
4532(a)	Escape from jail on misdemeanor charge with force	\$50,000
4532(b)	Escape from jail on felony charge	\$50,000
4532(b)	Escape from jail on felony charge with force	\$75,000
4572-4573	Smuggling drugs/alcohol into jail	\$15,000
4574	Smuggling firearm/deadly weapon/tear gas weapon	\$50,000
12020	Possession of deadly weapon	\$15,000
12021	Felon/prohibited person with firearm	\$25,000
12025	Carrying a concealed firearm	\$15,000
12031	Carrying a loaded firearm	\$15,000
12034	Firearm in vehicle/Discharge from vehicle	\$35,000
12280	Poss/manufacture/transport/sale of assault weapon	\$15,000
12303	Destructive device - possession	\$25,000
12303.1	Destructive device – possession in common carrier	\$50,000
12303.2	Destructive device - possession in public	\$50,000
12303.3	Destructive device – w/intent to injure	\$75,000
12303.6	Destructive device – sale of	\$50,000
12308	Destructive device – w/intent to murder	\$500,000
12309	Destructive device – causing injury	\$250,000
12310	Destructive device - causing mayhem	\$250,000
12312	Possess materials to make destructive device	\$25,000

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HEALTH AND SAFETY CODE

Section	Offense	Bail
11350, 11377	Possess controlled substance	\$10,000
11351, 11378	Possess for sale - controlled substance	
	-one ounce or less	\$25,000
	-more than an ounce	\$40,000
	-more than a pound	\$100,000
11352, 11379	Sell/transport controlled substance	
	-one ounce or less	\$35,000
	-more than an ounce	\$50,000
	-more than a pound	\$100,000
11353	Adult inducing minor to commit c.s. violation	\$50,000
11357(a)	Possess concentrated cannabis	\$5,000
11358	Cultivation of marijuana	
	-100 plants or less	\$10,000
	-more than 100 plants	\$20,000
11359	Possess for sale - marijuana	\$25,000
11360(a)	Sell/transport marijuana	
	-four pounds or less	\$15,000
	-more than four pounds	\$30,000
	-more than twenty pounds	\$50,000
11361	Adult inducing minor to commit marijuana violation	\$50,000
11366	Maintenance of location for use of c.s.	\$15,000
11366.5	Maintenance of location for storage, sales of c.s.	\$15,000
11366.6	Maintaining a place - fortified	\$30,000
11370.9	Cash proceeds in excess of \$25,000	\$20,000
11379.5	Sell or transport PCP	\$35,000
11379.6	Manufacture PCP or meth	\$150,000
11379.6	Manufacture hash oil	\$50,000
11380	Adult inducing minor to commit non-narcotic controlled substance violation	\$50,000
11383	Processing precursors	\$50,000

VEHICLE CODE

10851	Theft of a vehicle	\$15,000
20001	Hit and run w/injury	\$50,000
23104	Reckless driving w/bodily injury	\$30,000
23152, 23550.5	DUI w/ 3+ or specified priors	\$50,000
23153 a/b	DUI w/injury	\$30,000
23153 a/b	DUI w/injury & any prior DUI offense	\$50,000
2800.2	Evading a peace officer with reckless driving	\$35,000
2800.3	Evading a peace officer with death or injury	\$100,000

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SCHEDULE OF ADDITIONAL BAIL ENHANCING FACTORS

<u>Section</u>	<u>Offense</u>	<u>Bail</u>
186.22(b)	Any crime with gang enhancements	\$25,000
422.75	Commission of hate crime	\$25,000
667(a)	Prior serious felony conviction	\$25,000
667.5(b)	Prior prison term	\$10,000
667.5(c)1170.12	One strike prior	\$100,000
	Two strike priors	\$500,000
667.61	One Strike sex offense	\$500,000
HS 11370.2	Prior commercial controlled substance offense	\$45,000
12022(a)(1)	Committing or Attempting felony armed	\$25,000
12022(b)	Personal use of deadly/dangerous weapon	\$25,000
12022(c)	Personally armed w/firearm	\$50,000
12022(d)	Another person armed with firearm	\$25,000
12022.1	Offenses committed while released on bail	\$25,000
12022.5	Use of firearm/assault weapon/machinegun	\$50,000
1022.53(b)	Personally uses a firearm committing a felony	\$100,000
12022.53(c)	Discharges a firearm in commission of felony	\$250,000
12022.53(d)	Discharge firearm causes GBI/death	\$500,000
12022.7	Infliction of GBI	\$25,000
	On felony probation/parole	No Bail

For **any felony charge**, which is **not listed** on this schedule, the bail shall be:

<u>Aggravated Term for Offense</u>	<u>Bail</u>
3 years	\$15,000
4 years	\$20,000
5 years	\$25,000
6 years	\$30,000
7 years	\$35,000
8 + years	\$50,000

If a prisoner has been arrested on more than one felony charge or on a felony and a misdemeanor charge, the bail for the most serious felony charge shall be used.

For each aggravating or enhancing factor related to the most serious felony offense chargeable in the complaint, additional bail shall be required in the amount shown on the attached ***Schedule of Additional Bail Required for Aggravating and Enhancing Factors*** (page 4)

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The following offenses are notailable:

Murder with Special Circumstances punishable under §190.2

Penal Code §190,

Train wrecking with Death

Penal Code §219

Any other offense for which the penalty is Death or LWOP

NO LIMIT ON ADDING AMOUNTS FOR ENHANCEMENTS

(for example - 459 1st degree + armed w/knife + great bodily injury = \$50,000 + \$25,000 + \$25,000 = \$100,000 total bail.)

MOST SERIOUS CHARGE CONTROLS FOR EACH DATE/OCCASION AND EACH VICTIM, BUT THOSE ARE THEN ADDED TOGETHER FOR TOTAL BAIL AMOUNT

(for example - 459 1st degree on Dec. 24 on victim Smith + 459 2nd degree on Dec. 25 on victim Jones + 10851 Dec. 25 on victim Doe = \$50,000 + \$15,000 + \$15,000 = \$80,000 total bail).